

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WIZARD WORLD, INC.

Plaintiff,

-against-

STEPHEN SHAMUS and JOHN DOES 1 – 10,

Defendants.

No. 16 Civ. 8428 (RA)

[PROPOSED]
CASE MANAGEMENT PLAN AND
SCHEDULING ORDER

RONNIE ABRAMS, United States District Judge:

Pursuant to Rules 16-26(f) of the Federal Rules of Civil Procedure, the Court hereby adopts the following Case Management Plan and Scheduling Order:

1. All parties do not consent to conducting all further proceedings before a United States Magistrate Judge, including motions and trial. 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences.
2. The parties have not engaged in settlement discussions.
3. This case is not to be tried to a jury.
4. No additional parties may be joined after **December 30, 2016** without leave of the Court.
5. No amendments to the pleadings may be made after **December 30, 2016** without leave of the Court.
6. Initial disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure shall be completed no later than **December 16, 2016**.
7. All fact discovery is to be completed no later than **March 31, 2017**.
8. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to the Court, provided that the parties meet the deadline for completing fact discovery set forth in ¶ 7 above.
 - a. Initial requests for production of documents shall be served by **December 16, 2016**.

- b. Interrogatories shall be served by **December 16, 2016**.
 - c. Depositions shall be completed by **March 3, 2017**.
 - d. Requests to Admit shall be served no later than **March 10, 2017**.
9. All expert discovery, including disclosures, reports, production of underlying documents, and depositions shall be completed by April 7, 2017.
10. All discovery shall be completed no later than **June 5, 2017**.
11. The Court will conduct a post-discovery conference on _____ at _____. [*To be completed by the Court.*] No later than one week in advance of the conference, the parties are to submit a joint letter updating the Court on the status of the case, including but not limited to whether either party intends to file a dispositive motion and what efforts the parties have made to settle the action.
12. Unless otherwise ordered by the Court, the joint pretrial order and additional submissions required by Rule 6 of the Court's Individual Rules and Practices shall be due thirty (30) days from the close of discovery, or if any dispositive motion is filed, thirty (30) days from the Court's decision on such motion. This case shall be trial ready sixty (60) days from the close of discovery or the Court's decision on any dispositive motion.
13. Counsel for the parties propose the following alternative dispute resolution mechanism for this case:
- a. X Referral to a Magistrate Judge for settlement discussions.
 - b. Referral to the Southern District's Mediation Program.
 - c. Retention of a private mediator.

The use of any alternative dispute resolution mechanism does not stay or modify any date in this Order.

14. The parties have conferred and their present best estimate of the length of trial is four days.

SO ORDERED.

Dated: _____
New York, New York

Ronnie Abrams
United States District Judge